

Message Text

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FM SECSTATE WASHDC

TO AMEMBASSY GUATEMALA

C O N F I D E N T I A L STATE 194655

E.O. 11652: GDS

TAGS: PFOR, GT, BH

SUBJECT: BELIZE DISPUTE - ICJ INVOLVEMENT

1. DEPARTMENT IS INTRIGUED BY STATEMENTS ATTRIBUTED TO FOREIGN MINISTER MOLINA IN AUGUST 1 IMPARCIAL THAT GUATEMALA SEES ROLE FOR INTERNATIONAL COURT OF JUSTICE IN RESOLVING BELIZE DISPUT . WE HAVE NOTED FROM YOUR PREVIOUS REPORTING A GOG INTEREST IN INVOLVING THE ICJ AND A GUATEMALAN BELIEF THAT THE SPANISH SAHARA CASE HAS SIMILARITIES TO THE BELIZE SITUATION.

2. WE WOULD APPRECIATE ANY CLARIFICATION AND ADDITIONAL INFORMATION YOU MAY HAVE AVAILABLE DETAILING JUST WHAT GUATEMALANS HAVE IN MIND. ARE THEY LOOKING FOR AN ADVISORY OPINION REQUESTED FROM THE COURT BY A UN BODY AS IN SPANISH SAHARA CASE, OR ARE THEY THINKING OF SEEKING UK APPROVAL TO PRESENT THE CASE DIRECTLY TO THE COURT (WHICH WOULD MEAN THE COURT'S DECISION WOULD BE CONFIDENTIAL

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BINDING). IF THE LATTER, WOULD GUATEMALANSEXPECT

COURT TO DEAL STRICTLY WITH LEGAL MERITS OR WOULD THEY
AUTHORIZE THE COURT TO DECIDE THE CASE ON THE BASIS
OF EQUITY AS WELL (EX AEQUO ET BONO ART. 38, PARA 2 OF
STATUTE)?

3. KEEPING IN MIND CARIBBEAN, BELIZEAN AND UK PRESSURES
ON USG AND PROBABILITY THAT BELIZE QUESTION WILL SURFACE
AT UNGA, DOES EMBASSY PERCEIVE OBJECTIONS TO USG
URGING PARTIES TO MOVE DISPUTE TO ICJ FORUM? SISCO

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